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U.S.

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.

## TRANSMITTAL LETTER TO THE UNITED STATES

DESIGNATED/ELECTED OFFICE (DO/EO/US)

CONCERNING A FILING UNDER 35 U.S.C. 371 AND 37 CFR 1.491

P1912US

U.S. APPLICATION NO.  
Unassigned

10/541340

INTERNATIONAL APPLICATION NO.

PCT/JP2003/003870

INTERNATIONAL FILING DATE

22 December 2003 (22.12.03)

PRIORITY DATE CLAIMED

08 January 2003 (08.01.03)

TITLE OF INVENTION

METHOD FOR ENCODING AND DECODING AUDIO AT A VARIABLE RATE

APPLICANT(S) FOR DO/EO/US

KOVESI, Balazs ; MASSALOUX, Dominique

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371 and 37 CFR 1.491.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371 and 37 CFR 1.491.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)).
4. ☒ The US has been elected (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
11. Nucleotide and/or Amino Acid Sequence Submission
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper Copy
  - c. ☐ Statement verifying identity of above copies

## Items 12 to 19 below concern other document(s) or information included:

12. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  - ☐ Form PTO-1449
  - ☐ Copies of Listed Documents
13. ☐ An assignment for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
14. ☒ A **FIRST** preliminary amendment.
  - ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☒ Application Data Sheet Under 37 CFR 1.76
18. ☒ Return Receipt Postcard
19. ☒ Other items or information: Certification of a Translation; Abstract

**JC20 Rec'd PCT/PTO 01 JUL 2005**

**U.S. APPLICATION NO. 10/541340**  
 Unassigned

**INTERNATIONAL APPLICATION NO.**  
 PCT/FR2003/003870

**ATTORNEY DOCKET NO.**  
 P1912US

20. The following fees are submitted: <input checked="" type="checkbox"/> a) Basic national fee.....\$300.00				<b>Calculations</b> \$300.00	<b>PTO Use Only</b>
<input checked="" type="checkbox"/> b) Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....\$100.00 All other situations .....\$200.00				\$200.00	
<input checked="" type="checkbox"/> c) Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100.00 International Search Report prepared and provided to the Office.....\$400.00 All other situations.....\$500.00				\$400.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$900.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
-100=	/50=		x \$250.00	\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	36 -20=	16	x \$50.00	\$800.00	
Independent Claims	4 - 3 =	1	x \$200.00	\$200.00	
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)			+ \$360.00	\$0.00	
<b>TOTAL OF ABOVE CALCULATIONS=</b>				<b>\$1,900.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL=</b>				<b>\$1,900.00</b>	
Processing fee of \$130.00 for furnishing English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date.				\$	
<b>TOTAL NATIONAL FEE=</b>				<b>\$1,900.00</b>	
Fee for recording the enclosed assignment. The assignment must be accompanied by an appropriate cover sheet. \$40.00 per property				+	
<b>TOTAL FEE ENCLOSED=</b>				<b>\$1,900.00</b>	
				Amount to be: refunded	\$
				charged:	\$

a. ☐ A check in the amount of \$ to cover the above fee is enclosed.

b. ☒ Please charge Deposit Account No. 07-0181 in the amount of \$1,900.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-0181. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Customer Number: 08968

Gardner Carton & Douglas LLP  
 191 N. Wacker Drive, Suite 3700  
 Chicago, Illinois 60606-1698

Richard A. Wulff, Registration No. 42,238  
 One of the Attorneys for Applicant(s)

Date: July 1, 2005

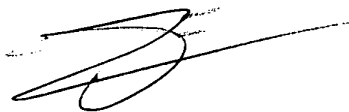
10/541340

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CERTIFICATION OF TRANSLATION

I, Emmanuelle BEAUVAIS, of CABINET PLASSERAUD, 65/67, rue de la Victoire, 75440 PARIS CEDEX 09, FRANCE, do hereby declare that I am well acquainted with the French and English languages, and verify that the document attached is a true English language translation of the text of International Patent Application no. PCT/FR2003/003870.

Dated this 6<sup>th</sup> day of June 2005.

A handwritten signature in black ink, consisting of a stylized 'E' followed by a horizontal line extending to the right.

Emmanuelle BEAUVAIS

10/541340

JC20 Rec'd PCT/PTO 01 JUL 2005

**EXPRESS MAILING CERTIFICATE  
UNDER 37 CFR § 1.10**

**Date of Deposit: July 1, 2005**

**"Express Mail" Mailing Number: EV264894491US**

I hereby certify that the attached correspondence, including any documents or materials referred to thereon as enclosures or attachments, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to:

Mail Stop PCT  
Attn: DO/EO/US  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Title: METHOD FOR ENCODING AND DECODING AUDIO AT A  
VARIABLE RATE

Applicant(s): Kovesi et al.

Application No.: Unassigned  
(U.S. National Phase of PCT/FR2003/003870)

Filing Date: July 1, 2005

Enclosed:

1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 USC 371 and 37 CFR 1.491 (3 pgs) and duplicate thereof (3 pgs)
2. Application Data Sheet (3 pgs)
3. English Translation of PCT Patent Application as published comprising: Title Page with Abstract (2 pgs); Specification (21 pgs); Claims (9 pgs); Three (3) Sheets of Drawings (Figs. 1-3; 3 pgs)
4. Preliminary Amendment (13 pgs)
5. Abstract (1 pg)
6. Executed Combined Declaration and Power of Attorney (3 pgs)
7. Certification of a Translation (1 pg)
8. Authorization to charge deposit account in the amount of \$1,900.00
9. Return postcard

Zenash Kebede

Typed or Printed Name

Zenash Kebede  
Signature

Attorney Docket No. P1912US  
Client No. 084526-1912